

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA

FILED  
for Roanoke  
JUN 10 2010

JOHN F. CORCORAN, CLERK  
BY:  DEPUTY CLERK

KEVIN WAYNE YOPP,  
Plaintiff,

v.

LYNCHBURG ADULT DETENTION  
CENTER, et al.,  
Defendant(s).

Civil Action No. 7:09-cv-00402

By: Hon. Jackson L. Kiser  
Senior United States District Judge

MEMORANDUM OPINION

By Order entered June 2, 2010, the court directed plaintiff to pay the \$350.00 filing fee after he was released from incarceration because he was no longer eligible to pay the filing fee via installments, pursuant to 28 U.S.C. § 1915. The court provided plaintiff seven days from that order to pay the filing fee. Plaintiff was advised that failing to pay the filing fee would result in the dismissal of the action without prejudice. More than seven days has elapsed, and plaintiff has failed to pay the filing fee. Accordingly, I dismiss the action without prejudice. Plaintiff may refile his claims in a new and separate action at a time of his choosing.

The Clerk is directed to send a copy of this memorandum opinion and accompanying order to plaintiff.

ENTER: This 10<sup>th</sup> day of June, 2010.

  
Senior United States District Judge